



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231  
www.uspto.gov

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 09/384,468      | 08/27/1999  | JERRY IGGULDEN       | D00607/70007.US NPF | 7882             |

23628 7590 04/09/2003

WOLF GREENFIELD & SACKS, PC  
FEDERAL RESERVE PLAZA  
600 ATLANTIC AVENUE  
BOSTON, MA 02210-2211

EXAMINER

TRAN, THAI Q

|          |              |
|----------|--------------|
| ART UNIT | PAPER NUMBER |
|----------|--------------|

2615

DATE MAILED: 04/09/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/384,468

Applicant(s)

IGGULDEN ET AL.

Examiner

Thai Tran

Art Unit

2615

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 8/27/99, 11/29/1999, and 2/13/2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 15-39 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 15-39 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 8.
- 4) ☐ Interview Summary (PTO-413) Paper No(s) \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

### *Double Patenting*

1. The nonstatutory double patenting rejection is based on a judicially created doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the unjustified or improper timewise extension of the "right to exclude" granted by a patent and to prevent possible harassment by multiple assignees. See *In re Goodman*, 11 F.3d 1046, 29 USPQ2d 2010 (Fed. Cir. 1993); *In re Longi*, 759 F.2d 887, 225 USPQ 645 (Fed. Cir. 1985); *In re Van Ornum*, 686 F.2d 937, 214 USPQ 761 (CCPA 1982); *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970); and, *In re Thorington*, 418 F.2d 528, 163 USPQ 644 (CCPA 1969).

A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) may be used to overcome an actual or provisional rejection based on a nonstatutory double patenting ground provided the conflicting application or patent is shown to be commonly owned with this application. See 37 CFR 1.130(b).

Effective January 1, 1994, a registered attorney or agent of record may sign a terminal disclaimer. A terminal disclaimer signed by the assignee must fully comply with 37 CFR 3.73(b).

2. Claims 15-18 and 38-39 are rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 10 and 17-18 of U.S. Patent No. 5,987,210 in view of Yuen et al ('409).

Regarding claim 15 of this application, claim 10 of U.S. Patent No. 5,987,210 recites a video-recording method comprising the steps of:

- (a) recording a video signal on a recording medium;
- (b) monitoring the video signal as it is recorded to automatically detect events therein as the video signal is recorded, each of said events occurring within view-able lines of a video frame;
- (c) marking the recording medium with a first type of mark in proximity to a respective detected event, said marking of the recording medium being done substantially concurrently with recording of the video signal;

- (d) storing data representative of a time of occurrence of each event;
- (e) analyzing the data to classify segments of the video signal between events as one of a first and second category;
- (f) positioning the recording medium to beginning and ending positions of each segment of the video signal classified as the second category;
- (g) marking the recording medium with a second type of mark in predetermined relationship to a corresponding first type of mark at each of said beginning positions; and
- (h) marking the recording medium with a third type of mark in predetermined relationship to a corresponding first type of mark at each of said ending position. Claim 10 of U.S. Patent No. 5,987,210 recites marking the recording medium during recording while claim 15 of this instant application requires marking the recording medium during reproducing.

Yuen et al teaches, in an apparatus for tracking the playing of VCR programs, a video tape can be marked (indexing the video tape, col. 26, line 39 to col. 27, line 25) in recording mode or in reproducing mode so that the video signal stored in the video tape can be properly indexed.

It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the capability of indexing the recording medium as taught by Yuen et al into claim 10 of U.S. Patent No. 5,987,210 in order to increase the flexibility of claim 10 of U.S. Patent No. 5,987,210 by allowing indexing the recording both in recording mode and reproducing mode.

Regarding claim 16 of this application, claim 10 of U.S. Patent No. 5,987,210 recites a video-recording method comprising the steps of:

- (a) recording a video signal on a recording medium;
- (b) monitoring the video signal as it is recorded to automatically detect events therein as the video signal is recorded, each of said events occurring within view-able lines of a video frame;
- (c) marking the recording medium with a first type of mark in proximity to a respective detected event, said marking of the recording medium being done substantially concurrently with recording of the video signal;
- (d) storing data representative of a time of occurrence of each event;
- (e) analyzing the data to classify segments of the video signal between events as one of a first and second category;
- (f) positioning the recording medium to beginning and ending positions of each segment of the video signal classified as the second category;
- (g) marking the recording medium with a second type of mark in predetermined relationship to a corresponding first type of mark at each of said beginning positions; and
- (h) marking the recording medium with a third type of mark in predetermined relationship to a corresponding first type of mark at each of said ending position. Claim 10 of U.S. Patent No. 5,987,210 recites marking the recording medium during recording while claim 15 of this instant application requires marking the recording medium during reproducing and claim 10 of U.S. Patent No. 5,987,210 additionally does not recite

Art Unit: 2615

rewinding the tape to the beginning of the tape, advancing the tape, and rewinding the tape to said event classified as marking the beginning of the desired segment.

Yuen et al teaches, in an apparatus for tracking the playing of VCR programs, a video tape can be marked (indexing the video tape, col. 26, line 39 to col. 27, line 25) in recording mode or in reproducing mode so that the video signal stored in the video tape can be properly indexed. Yuen et al also teaches the processing of marking of the recording medium including rewinding the tape to the beginning of the tape and advancing the tape (col. 26, line 39 to col. 27, line 25). Yuen et al further teaches, in the process of searching for the desired video segment recorded in the recording medium, the tape is rewinded to the event classified as marking the beginning of the desired segments (col. 16, lines 45-67).

It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the capability of indexing the recording medium and searching the desired video segments recorded in the recording medium as taught by Yuen et al into claim 10 of U.S. Patent No. 5,987,210 in order to increase the flexibility of claim 10 of U.S. Patent No. 5,987,210 by allowing indexing the recording both in recording mode and reproducing mode.

Regarding claim 17 of this application, Yuen et al also discloses the claimed wherein the step of analyzing comprises determining if a predetermined period of time has elapsed since a last detected event (col. 26, lines 60-67).

Regarding claim 18 of this application, Yuen et al further discloses the claimed wherein the tape is advanced at a speed higher than a normal play speed (col. 5, lines 53-57 and col. 26, lines 60-67).

Regarding claim 38 of this application, claim 17 of U.S. Patent No. 5,987,210 recites the claimed wherein the first, second and third types of mark are each distinct from the others.

Regarding claim 39 of this application, claim 18 of U.S. Patent No. 5,987,210 recites the claimed wherein each of the first, second and third types of mark are recorded on a control track of the recording medium.

3. Claims 19-20, 22-26, 28-31, and 33-36 are rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claim 13 of U.S. Patent No. 5,999,688 in view of Yuen et al ('409).

Regarding claim 19 of this application, claim 13 of U.S. Patent No. 5,999,688 recites a method of cueing a video tape having a video signal containing a program recorded thereon to a beginning of a program segment comprising the steps of:

- (a) advancing the video tape at a speed faster than a normal play speed;
- (b) monitoring the video signal as the video tape is advanced to automatically detect events within view-able lines of video frames;
- (c) analyzing the detected events to identify an event associated with said beginning of a program segment;
- (d) reversing the video tape to a location corresponding to said event associated with said beginning of a program segment; and

(e) commencing normal play of said video tape at said beginning of a program segment. Claim 13 of U.S. Patent No. 5,999,688 recites all the claimed limitations except for providing that the method of cueing is performed automatically.

Yuen et al teaches, in an apparatus for tracking the playing of VCR programs, searching for a desired video program can be automatically performed (col. 28, line 22 to col. 29, line 7) so that the desired video signal recorded on the recorded medium to be searched can be accurately and rapidly determined.

Regarding claim 20 of this application, claim 13 of U.S. Patent No. 5,999,688 also recites the claimed wherein the video tape is moved in a forward direction at a speed faster than a normal play speed (step (a) of claim 13 of U.S. Patent No. 5,999,688).

Regarding claim 22 of this application, Yuen et al also discloses the claimed wherein the step of monitoring a video signal comprises detecting a plurality of events in the video signal and measuring a time interval between successive detected events (col. 30, lines 25-40, col. 34, line 50 to col. 35, line 32).

Regarding claim 23 of this application, Yuen et al further discloses the claimed wherein the event associated with the program segment is determined as a latest of the plurality of detected events for which there is no successive detected event occurring within a predetermined period of time thereafter (col. 26, lines 60-65).

Regarding claim 24 of this application, claim 13 of U.S. Patent No. 5,999,688 additionally recited the claimed step, after detecting the event associated with the program segment, of reversing the video tape to the position corresponding to said



Art Unit: 2615

event associated with the program segment (step (d) of claim 13 of U.S. Patent No. 5,987,210).

The apparatus claim 25 of this application is rejected for the same reasons as discussed in the method claim 19 of this application above and, additionally, it would have been obvious to one of ordinary skill in the art at the time of the invention to recognize that the apparatus claim 25 of this application can practices the method of claim 13 of U.S. Patent No. 5,999,688.

Claims 26 and 28-29 of this application are rejected for the same reasons as discussed in claim 20, 22, and 24 of this application above, respectively.

Claims 30-31 and 33-34 of this application are rejected for the same reasons as discussed in claims 19-20 and 22-23 of this application, respectively.

Claims 35-36 of this application are rejected for the same reasons as discussed in claims 25-26 of this application, respectively.

4. Claims 21, 27, 32, and 37 rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claim 13 of U.S. Patent No. 5,999,688 in view of Yuen et al ('409) as applied to claims 19, 25, 30-31, and 35-36 above, and further in view of Ito et al (EP 0 526 739).

Regarding claim 21, the combination of claim 13 of U.S. Patent No. 5,999,688 and Yuen et al discloses all the features of the claimed invention as discussed in claim 19 above except for providing wherein the step of monitoring the video signal includes gating the video signal to exclude noise bars.

Itoh et al teaches means (col. 9, lines 47-49) for gating the video signal to exclude noise bars during fast-forward operation so that the quality of the video signal outputted during fast-forward operation can be increased.

It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate means for gating the video signal to exclude noise bars during the fast-forward operation as taught in Itoh et al into the combination of claim 13 of U.S. Patent No. 5,999,688 and Yuen et al in order to not annoy the viewer during the fast-forward operation.

Claim 27 of this application is rejected for the same reasons as discussed in claim 21 of this application.

Claim 32 of this application is rejected for the same reasons as discussed in claim 21 of this application.

Claim 37 of this application is rejected for the same reasons as discussed in claim 21 of this application.

***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein

Art Unit: 2615

were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

6. Claims 15-18, 30-31, 33-36, and 38-39 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yuen et al ('409) in view of Doi (EP 0 378 393).

Regarding claim 15, Yuen et al discloses a method of processing a video signal recorded on a recording medium (Fig. 1) comprising the steps of:

(a) replaying the recorded video signal to detect events therein (col. 26, lines 60-67);

(b) marking the recording medium with a first type of mark in proximity to a respect event recorded on the recording medium (col. 26, lines 60-67);

(c) storing data representative of a time of occurrence of each event (col. 26, lines 60-67 and col. 9, line 48 to col. 10, line 28);

(d) analyzing the data to classify segments of the video signal between events as one of a first and second category (col. 26, lines 60-67 and col. 34, line 50 to col. 35, line 41);

(e) positioning the recording medium to beginning and ending positions of each segment of the video signal classified as the second category (col. 26, lines 60-67 and col. 16, lines 39-44);

(f) marking the recording medium with a second type of mark in predetermined relationship to a corresponding first type of mark at each of said beginning positions (col. 16, lines 39-44 and col. 9, line 48 to col. 10, line 28); and

(g) marking the recording with a third type of mark in predetermined relationship to a corresponding first type of mark at each of said ending positions (col. 16, lines 39-44 and col. 9, line 48 to col. 10, line 28). However, Yuen et al does not specifically disclose that the detecting events during replaying the recorded video signal is automatically and each of said events occurring within viewable lines of a video frame.

Doi (EP 0378393) teaches a dynamic image editor apparatus having means for monitoring a video signal to automatically detect an event therein associated with the program segment, the event occurring within viewable lines of a video signal (Fig. 1 and col. 2, line 54 to col. 3, line 12) so that the boundaries between scenes can be exactly located.

It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate means for automatically detecting an event therein associated with the program segment, the event occurring within viewable lines of a video frame as taught in Doi into Yuen et al's system in order to simplify the process of detecting the beginning and the end of video scene and accurately detecting the boundaries between the scenes.

Regarding claim 16, Yuen et al discloses a method of cueing a pre-recorded video tape to a desired segment (Fig. 1) comprising the steps of:

(a) rewind the tape to the beginning of the tape (col. 26, lines 60-67);

(b) advancing the tape (col. 26, lines 60-67).

(c) monitoring the video signal recorded on the tape as it is advanced to detect events therein (col. 26, lines 60-67);

(d) storing data representative of a time of occurrence of each event (col. 26, lines 60-67 and col. 9, line 48 to col. 10, line 28);

(e) analyzing the data to classify one such event as marking the beginning of the desired segment (col. 26, lines 60-67 and col. 34, line 50 to col. 35, line 41); and

(f) rewinding the tape to said event classified as marking the beginning of the desired segment (col. 26, lines 60-67, col. 16, lines 39-44, and col. 28, lines 22-67).

However, Yuen et al does not specifically disclose that the detecting events during replaying the recorded video signal is automatically and each of said events occurring within viewable lines of a video frame.

Doi (EP 0378393) teaches a dynamic image editor apparatus having means for monitoring a video signal to automatically detect an event therein associated with the program segment, the event occurring within viewable lines of a video signal (Fig. 1 and col. 2, line 54 to col. 3, line 12) so that the boundaries between scenes can be exactly located.

It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate means for automatically detecting an event therein associated with the program segment, the event occurring within viewable lines of a video frame as taught in Doi into Yuen et al's system in order to simplify the process of detecting the

beginning and the end of video scene and accurately detecting the boundaries between the scenes.

Regarding claim 17, Yuen et al also discloses the claimed wherein the step of analyzing comprises determining if a predetermined period of time has elapsed since a last detected event (col. 26, lines 60-67).

Regarding claim 18, Yuen et al further discloses the claimed wherein the tape is advanced at a speed higher than a normal play speed (col. 5, lines 53-57 and col. 26, lines 60-67).

Claim 30 is rejected for the same reasons as discussed in claim 15 above.

Regarding claim 31, Yuen et al discloses the claimed wherein the video tape is advanced at a speed faster than a normal play speed (col. 5, lines 53-57 and col. 26, lines 60-67).

Regarding claim 33, Yuen et al discloses the claimed wherein the step of storing data comprises storing data representative of a time of occurrence of each of a plurality of detected events in the video signal (col. 26, lines 60-67 and col. 9, line 48 to col. 10, line 28).

Regarding claim 34, Yuen et al discloses the claimed wherein the event associated with the program segment is determined as a latest of the plurality of detected events for which there is no successive detected event occurring within a predetermined period of time thereafter (col. 26, lines 60-67).

Claim 35 is rejected for the same reasons as discussed in claim 15 above.

Claim 36 is rejected for the same reasons as discussed in claim 31 above.

Regarding claim 38, Yuen et al discloses the claimed wherein the first, second and third types of mark are each distinct from the others (VISS marks, col. 16, lines 39-44).

Regarding claim 39, Yuen et al discloses the claimed wherein each of the first, second and third types of mark are recorded on a control track of the recording medium (col. 16, lines 39-44).

7. Claims 32 and 37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yuen et al ('409) in view of Doi (EP 0 378 393) as applied to claims 30-31 and 35-36 above, and further in view of Itoh et al (EP 0 526 739).

Regarding claim 32, the combination of Yuen et al and Doi as discussed in claim 30-31 above discloses all the features of the instant invention except for providing means for gating the video signal to exclude noise bars.

Itoh et al teaches a magnetic tape recording/reproducing apparatus having means (col. 9, lines 47-49) for gating the video signal to exclude noise bars during fast-forward operation so that the quality of the video signal outputted during fast-forward operation can be increased.

It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate means for gating the video signal to exclude noise bars during the fast-forward operation as taught in Itoh et al into the combination of Yuen et al and Doi in order to not annoy the viewer during the fast-forward operation.

Method claim 37 is rejected for the same reasons as discussed in apparatus claim 32.

8. Claims 19-20, 22-23, 25-26, and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sakui (JP403280234A) in view of O'Brien (EP 0 158 293).

Regarding claim 19, Sakui discloses a method of automatically cueing a pre-recorded video tape to a program segment comprising the steps of:

(a) moving the video tape at a speed faster than a normal play speed (the abstract);

(b) monitoring a video signal recorded on the video tape as it is moved to detect an event therein associated with the program segment (the abstract); and

(c) playing the video tape at a normal play speed beginning at a position corresponding to said event in the video signal associated with the program segment (the abstract).

O'Brien teaches a television commercials monitor device having means for monitoring a video signal to automatically detect an event therein associated with the program segment, the event occurring within viewable line of a video (Fig. 1, col. 6, lines 1-31) so that commercials can be accurately detected.

It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate means for automatically detecting an event therein associated with the program segment, the event occurring within viewable lines of a video frame as taught in O'Brien in order to accurately position the reproducing head at the end of the television commercials so that the time of reproducing the video program without commercials can be reduced.



Regarding claim 20, Sakui also discloses the claimed wherein the video tape is moved in a forward direction at a speed faster than a normal play speed (the abstract).

Regarding claim 22, O'Brien also teaches the claimed wherein the step of monitoring a video signal comprises detecting a plurality of events in the video signal and measuring a time interval between successive detected events (col. 6, lines -31).

Regarding claim 23, Sakui further discloses the claimed wherein the event associated with the program segment is determined as a latest of the plurality of detected events for which there is no successive detected event occurring within a predetermined period of time thereafter (the abstract).

Apparatus claims 25-26 and 28 are rejected for the same reasons as discussed in method claims 19-20 and 22.

9. Claims 21 and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sakui in view of O'Brien as applied to claim 19 and 25 above, and further in view of Itoh et al (EP 0 526 739).

Regarding claim 21, the combination of Sakui and O'Brien as discussed in claim 21 above discloses all the features of the instant invention except for providing means for gating the video signal to exclude noise bars.

Itoh et al teaches a magnetic tape recording/reproducing apparatus having means (col. 9, lines 47-49) for gating the video signal to exclude noise bars during fast-forward operation so that the quality of the video signal outputted during fast-forward operation can be increased.

It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate means for gating the video signal to exclude noise bars during the fast-forward operation as taught in Itoh et al into the combination of Sakui and O'Brien in order to not annoy the viewer during the fast-forward operation.

Claim 27 of this application is rejected for the same reasons as discussed in claim 21 of this application.

10. Claims 24 and 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sakui and O'Brien as applied to claims 19, 22-23, and 25-26 above, and further in view of Doi (EP 0 378 393).

Regarding claim 24, the combination of Sakui and O'Brien as discussed above with respect to claims 19 and 22-23 discloses all the features of the instant invention except for providing means for reversing the video tape to the position corresponding to the event associated with the program segment.

Doi (EP 0378393) teaches a dynamic image editor apparatus having means for reversing the video tape to the position corresponding to the event associated with the program segment (Fig. 1 and col. 5, lines 28-45) so that the boundaries between scenes can be exactly located.

It would have been obvious to one of ordinary skill in the art at the time of the invention to means for reversing the video tape to the position corresponding to the event associated with the program segment as taught in Doi into the combination of Sakui and O'Brien in order to accurately detecting the boundaries between the scenes.

Apparatus claim 29 is rejected for the same reasons as discussed in method claim 24 above.

11. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

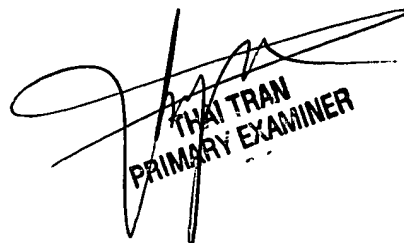
The cited references relate to an apparatus for controlling a video player to automatically locate a segment of a recorded program.

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thai Tran whose telephone number is (703) 305-4725. The examiner can normally be reached on Mon. to Friday, 8:00 AM to 5:30 PM.

The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9314 for regular communications and (703) 872-9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 306-0377.

TTQ  
April 7, 2003

  
THAI TRAN  
PRIMARY EXAMINER